

SUBJECT:	Requiring licensure of animal export-import facilities in Texas
COMMITTEE:	Agriculture and Livestock — favorable, without amendment
VOTE:	4 ayes — T. King, González, C. Anderson, Stucky 2 nays — Cyrier, Rinaldi 1 absent — Burrows
WITNESSES:	For — None Against — None On — Dan Hunter, Texas Department of Agriculture
BACKGROUND:	Agriculture Code, sec. 12.020 describes the administrative penalties that the Texas Department of Agriculture (TDA) may assess against a person for violating certain laws and rules. Each day a violation continues to occur may be considered a separate violation for purposes of penalty assessments.
DIGEST:	HB 2484 would require a person to obtain a license to operate an export-import processing facility in Texas that was authorized by the federal government and had the capacity to receive and hold animals and animal products for transportation in international trade. The Texas Department of Agriculture (TDA) would have to adopt rules to implement, administer, and enforce these licensing requirements, including: <ul style="list-style-type: none">• requirements to obtain and renew a license;• standards governing a license holder's operation of a facility necessary to protect the public's health, safety, and welfare and the safety of animals held by a facility;• fees for licensing and renewal that cover the direct and indirect costs of administering these rules; and

- a schedule of sanctions for violations.

The bill would amend Agriculture Code, sec. 12.020 to allow TDA to impose fees not to exceed \$5,000 for a violation of any law or rule created to implement these licenses.

The provisions added by the bill would not apply to an operator of a facility until 90 days after the effective date of TDA's rules for obtaining and renewing a license.

HB 2484 would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

HB 2484 would provide uniform standards and conditions for all animal export-import processing facilities. Currently, the Texas Department of Agriculture (TDA) operates three state-owned facilities. The U.S. Department of Agriculture has shied away from using some of the privately owned facilities in Texas in favor of facilities in New Mexico that appear to meet better standards. Requiring private facilities to meet the same standards as TDA facilities would help boost industry exports while ensuring that all animals were treated humanely.

**OPPONENTS
SAY:**

HB 2484 would create another occupational license, establishing requirements and allowing the Texas Department of Agriculture to collect fees from licensing applications, which is unnecessary.

NOTES:

According to the fiscal note, the Texas Department of Agriculture (TDA) estimates that 10 facilities within the state would be subject to licensing and registration requirements under the provisions of the bill. TDA plans to inspect five facilities each fiscal year with an estimated cost of \$750 per year. These costs would be offset by an equal amount of revenue from licensing fees each year.

A companion bill, SB 1675 by Lucio, is scheduled for a public hearing in the Senate Agriculture, Water, and Rural Affairs Committee on May 8.